

REMARKS

Reconsideration of this application, as amended, is requested. Claims 1-36 remain in the application. Claims 37-42 have been withdrawn from consideration in the present application. Claims 1-36 have been amended to overcome various objections and rejections put forth by the Examiner as described below. Claims 1 and 13 have been amended to more particularly point out and distinctly claim the invention of the present application. Support for the amendments to claim 1 can be found on at least page 9, lines 14-21 and page 22, lines 2-12. Support for the amendments to claim 13 can be found on at least page 16, line 21 through page 17, line 11. Therefore, it is respectfully submitted no new matter has been added by these claim amendments.

Claims 1-36 were objected to for minor informalities or grammar errors as stated on page 2 of the Office Action dated October 3, 2007.

Claims 1-36 have been amended and it is respectfully submitted the claims amendments overcome the objections.

Claims 4-7, 10, 12 and 22-27 were rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 4-7, 10, 12 and 22-27 have been amended to overcome the rejections under 35 USC 112, second paragraph, and it is respectfully submitted the rejection should be withdrawn.

Claims 1-7, 10-18, 29-31 and 34-36 were rejected under 35 USC 103(a) as being unpatentable over Shapiro (US Patent 4,785,472) in view of Staffer (US Patent

5,087,980) as set forth on pages 4-10 of the office action. Claims 8 and 9 were rejected under 35 USC 103(a) as being unpatentable over Shapiro and Staffer in view of Dagtas (US Patent 7,136,571) as set forth on page 11 of the office action. Claims 19-24, 28 and 32 were rejected under 35 USC 103(a) as being unpatentable over Shapiro and Staffer in view of Pantoja (US Patent Application Publication 2003/0115598) as set forth on pages 12-14 of the office action. Claim 33 was rejected under 35 USC 103(a) as being unpatentable over Shapiro and Staffer in view of Fasciano et al. (US Patent 5,467,288) as set forth on pages 14-15 of the office action. Claims 25-27 were rejected under 35 USC 103(a) as being unpatentable over Shapiro, Staffer and Pantoja in view of Du Val et al. (US Patent Application Publication 2002/0016820) as set forth on pages 15-16 of the office action.

In regards to original claim 1, the Examiner asserted "Shapiro teaches the invention substantially as claimed...Although Shapiro teaches said control assembly structured to receive synchronization data (timing signals) from said media player (col. 12, lines 19-22), however, Shapiro does not teach master control assembly structured to receive synchronization data from each of said media players. Staffer teaches a master control assembly structured to receive synchronization data from each of said media players (col. 5, lines 16-23; col. 7, lines 3-7) (computer 14 receives time codes from playback units)". The Examiner further asserted "[I]t would have been obvious to one skilled in the art at the time of the invention to combine the teachings of Shapiro and Staffer because Staffer's teachings of master control assembly for receiving synchronization data from each of the media players would enhance the synchronization mechanism of Shapiro's system by allowing adjustments of the speed of the players to

ensure common offsets are maintained between the various time codes, thereby ensuring that the various players are operating at a common speed”.

Amended claim 1 is directed to an interactive, multi-user media delivery system including, inter alia, “a) at least two media storage mediums, each of said storage mediums at least containing a substantially identical copy of a particular media selection; b) at least two media players structured to selectively deliver said media selection to a user from a corresponding one of said storage mediums; c) each of said media players including a control assembly structured to selectively control and regulate delivery of said media selection to the user; d) at least one of said media players being selectively designatable as a slave unit; e) a master control assembly operatively associated with said media players; f) a connectivity assembly structured to establish a communicative link at least between said slave unit and said master control assembly; g) said master control assembly structured to receive synchronization data of said media selection from each of said media players; and h) said master control assembly structured to simultaneously and uniformly control said delivery of said media selection by said media players based on said received synchronization data”. The system of amended claim 1 enables simultaneous viewing and control of “a substantially identical copy of a particular media selection” to users to create a common media experience among the users. A master control assembly of the system receives synchronization data of the media selection from each of the media players to simultaneously and uniformly control the delivery of the media selection by the media players so each user experiences the same media selection at the same time.

Shapiro is directed to a remote teaching system 2 includes a teacher station 4 and a plurality of student stations 6 which may be located at sites remote from one

another. The teacher station 4 includes a video-media-player master controller 8, 22 connected to the video media player 16 of the teacher station 4 for controlling the playing of the player. The video-media-player master controller 8, 22 of the teacher station 4 and the video-media-player controller 8', 22' of the student stations are connectable to the telephone system 124 for transmitting and receiving telephonic control signals over the telephone system, so that the playing of the video media player 16 of the teacher station 4 and the video media players 16' of the student stations 6 can be synchronized. The Examiner admits Shapiro does not teach "a master control assembly structured to receive synchronization data", but provides Staffer for this limitation.

Staffer is directed to a playback system which permits two or more different recordings associated with time codes to be retrieved synchronously at variable relative speeds. A master playback unit 18 retrieves a master video recording and the associated master time code and a slave playback unit 20 retrieves a slave audio recording and the associated slave time code. A microprocessor scales the slave audio time code to produce virtual slave time code, and the master and virtual slave time codes are compared to produce a virtual offset which is maintained substantially constant with speed control thereby synchronizing the operation of the master and slave playback units. The different recordings, i.e., the master video recording and slave audio recording, are then played back on a single output system.

However, Staffer does not cure the deficiencies of Shapiro. Staffer does not receive synchronization data from "at least two media storage mediums, each of said storage mediums at least containing a substantially identical copy of a particular media

selection” and then control the media players to simultaneously deliver the media selections to different media players. Staffer receives data from at least two different recordings, e.g., a video recording and an audio recording, and plays back the recordings on a single output system as a single media selection. Staffer does not receive data from at least two copies of the same or identical media selection and then plays back the media selection on each respective media player simultaneously. Therefore, it is respectfully submitted Shapiro and Staffer alone or in combination does not create the system of amended claim 1.

Furthermore, the other references cited by the Examiner do not overcome or cure the deficiencies of Shapiro and Staffer. For example, Dagtas (US Patent 7,136,571) is directed to a system and method for fast playback of video with selected audio on a single media player; Pantoja (US 2003/0115598) is directed to a system and method for interactively producing a web-based multimedia presentation with no teaching or suggestion of simultaneous delivery nor received synchronization data from media players; and Fasciano et al. (US Patent 5,467,288) is directed to a single digital audio workstation providing digital storage and display of video information. Lastly, Du Val et al. is directed to a system and method for distributing in real-time interactive data extracted from a video signal to a plurality of client computers via a computer network, a plurality of data source computers extract the interactive data from the video signals, forward them to a distribution server which buffers the interactive data and broadcasts the interactive data to a Web server cluster and a program executing on each client computer periodically sends updation requests to the web server cluster to retrieve new interactive data for display to the user. The client computers of Du Val et al. poll the web server to get updates and not

receive simultaneous deliver of a media selection from a master control assembly based on synchronization data from each of media players, e.g., client computers.

Therefore, it is respectfully submitted that amended claim 1 and depending claims 2-36 are patentably distinct and not rendered obvious by Shapiro, Staffer, Dagtas, Pantoja, Fasciano et al. and Du Val et al. taken alone or in any combination. Furthermore, it is respectfully submitted that dependent claims 2-36, depending directly or indirectly from amended claim 1, are patentable for at least the reasons stated above in regard to amended claim 1.

Furthermore, amended claim 13 is directed to the interactive, multi-user media delivery system as recited in claim 1 further including “a messaging assembly operatively associated with each of said media players, said messaging assembly structured to permit selective messaging communication to users of said media players while said media selection is being delivered to said users” (emphasis added). By providing messaging communication to users of said media players while said media selection is being delivered to said users, the system of amended claim 13 “allows for the further enhancement of the simultaneous viewing experience by allowing the user of one particular media player to communicate with all or a select one or group of other users utilizing other remotely located media players. Furthermore, the messaging assembly 40 is preferably configured to operate while the media content is being delivered to the user utilizing the media player, thus allowing a degree of real time interactivity between the media selection being presented and the various users” (see page 17, lines 3-11 of the present application).

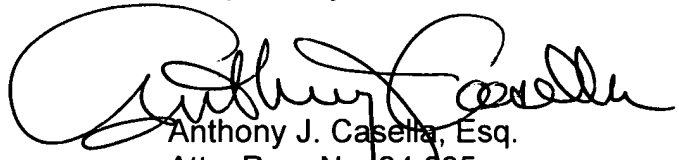
In regards to original claim 13, the Examiner points to col. 6, lines 33-46 of Shapiro for teaching a messaging assembly. However, the system of Shapiro does not permit "selective messaging communication to users of said media players while said media selection is being delivered to said users". The system of Shapiro switches between the playing of a video-tape, i.e., the media selection, and the displaying of a written or typed response but in no way teaches or suggests displaying the written or typed response while playing the video-tape. Referring to col. 6, lines 33-49 of Shapiro:

Written material such as a formula, diagram or sketch can be entered into the digital computer at the teacher station by means of a graphic tablet or other graphics input device; typed material can be entered by way of the keyboard of the computer. At the command of the teacher, the digital computer at the teacher station transmits such written or typed material to the digital computers at the remote student sites via the modems and telephone system. Upon receipt of telephonic video-signal-selection control signals from the teacher station, the computers at the remote student sites--by signalling the video-signal switches to which they are connected--display the written or typed material on the video monitors at the remote sites. After the response to the question has been transmitted to the students, the instructor can restart the video-tape cassette players to continue the taped lecture.

Therefore, the system of Shapiro either shows on the display 14' of the student station 6 the written response provided by the teacher or the playing of the video-tape. Therefore, in addition to the reasons stated above in relation to claim 1, it is respectfully submitted amended claim 13 is patentably distinct and not rendered obvious by the combination of Shapiro and Staffer.

In view of the preceding amendment and remarks, it is submitted that the claims remaining in the application are directed to patentable subject matter, and allowance is solicited. The Examiner is urged to contact applicant's attorney at the number below if the Examiner believes a telephone or personal interview would facilitate the prosecution of this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Anthony J. Casella". The signature is fluid and cursive, with a large initial "A" and a stylized "C".

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